

FISCAL IMPACT STATEMENT ON BILL NO. **H. 3496**

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TO:	The Honorable James H. Harrison, Chairman, House Judiciary Committee		
FROM:	Office of State Budget, Budget and Control Board		
ANALYSTS:	Rodney Grizzle, Ken Brown, Torina Wood, Allan Kincaid and Harry Bell		
DATE:	April 17, 2007	SBD:	2007319

AUTHOR:	Representative Smith	PRIMARY CODE CITE:	56-1-10
SUBJECT:	DUI		

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:
A Cost to the General Fund (See Below)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:
\$0 (No additional expenditures or savings are expected)

BILL SUMMARY:

House Bill 3496 amends the Code of Laws of South Carolina, 1976, as it relates to the offense of Driving Under the Influence "DUI" by creating a tiered system for the defined offense based upon the blood alcohol level of the individual.

EXPLANATION OF IMPACT:

Judicial Department

The Department indicates this Bill will have an impact on the General Fund of the State due to the enhanced penalties of the Bill. The Department is unable to provide an approximate cost of the total impact to the agency. However, should the number of cases exceeds what the current pool of circuit court judges can absorb, delays in the circuit court docket can be expected and additional judges would be needed. The cost associated with the addition of one (1) new Circuit Court Judge and staff (administrative assistant, court reporter and law clerk) is approximately \$347,327 for personal services and associated operating expenses and \$20,510 of non-recurring cost for automation and furniture. The addition of a new judge would also require more courtroom space, an expense borne by county government

State Law Enforcement Division

The agency indicates it would have a minimal impact on the General Fund of the State that can be absorbed within its current level of funding.

Department of Corrections (SCDC)

The Department indicates this Bill will have a minimal impact on the General fund of the State, which can be absorbed by the agency at the current level of funding. In FY 2005-06 SCDC admitted 111 inmates whose most serious offenses were "DUI". Among that total, 68 were DUI 2nd offense; 20 DUI 3rd offense; 12 DUI 4th/subsequent offenses and the 11 were not identifiable by court administrative codes.

Public Safety

The Department indicates that this Bill would have no impact on the General Fund of the State nor Federal and/or Other Funds.

Department of Alcohol & Other Drug Abuse Services

The Department indicates this Bill would have a minimal impact on the General Fund of the State which could be absorbed within its current level of funding. The cost of providing treatment programs required under this Bill would be covered through client fees. The Department does anticipate some bad debt expenses as treatment programs can be accessed regardless of a client's ability to pay.

LOCAL GOVERNMENT IMPACT:

None.

SPECIAL NOTES:

None.

Approved by:

A handwritten signature in black ink that reads "Harry Bell". The signature is written in a cursive style with a large, looped "H" and a long, sweeping "B".

Harry S. Bell
Assistant Director, Office of State Budget